

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN SCHAFFER as TRUSTEE of the LABORERS LOCAL #7
HEALTH FUND, the LABORERS LOCAL #7 PENSION FUND, the
LABORERS LOCAL #7 DEFINED CONTRIBUTION FUND and
the LABORERS LOCAL #7 TRAINING AND EDUCATION
FUND

Civil Action No: 3:07-CV-1290

Judge: FJS/DEP

Plaintiffs

**STIPULATION OF
DISMISSAL**

-vs-

DANIEL J. LYNCH, INC., and KELLY LYNCH,
Individually

Defendants

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas this action is not a class action, no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued on the merits with prejudice. This stipulation may be filed with the Clerk of the Court without further notice.

Dated: 3/9/09 DAVID A. KLINE, ATTORNEY AT LAW

By:



David A. Kline, Esq.

Bar Roll Number: 103158

Attorney for the Plaintiffs

Office and Post Office Address

7136 East Genesee Street

Fayetteville, NY 13066

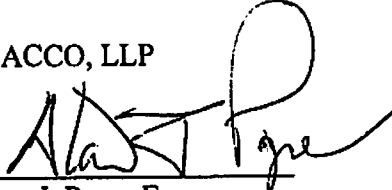
Phone: 315-637-0160

Fax: 309-418-1151

E-mail: dakesq@verizon.net

Dated: _____ POPE, SCHRADER & SACCO, LLP

By: _____


Alan J. Pope, Esq.
Bar Roll No. 301508
Attorneys for Defendants
Twenty Hawley Street
East Tower-Seventh Floor
PO Box 510
Binghamton, NY 13902
Tel: 607-584-4900
APope@psslawfirm.com

So Ordered:

Senior 
US District Judge

Dated: 3/30/09